

**Remarks/Arguments:**

Claims 1-66 have been examined. Claims 2, 29, 46, 50-52, 58 and 60-62 have been canceled.

**Specification**

As requested, the title of the invention has been moved to the top of the first page of the specification.

As requested, the specification now includes a heading that states "What is claimed is".

**Claim Objections**

Claims 50, 51, 52, 61 and 62 have been objected to. These claims have now been canceled.

**Section 112 Rejections**

As requested, claim 24 has been amended by replacing "recording medium" with "recording means".

As requested, the antecedent basis of claim 27 has been corrected.

**Section 102/103 Rejections**

Claims 1, 2 and 66 have been rejected as being anticipated by Kori. Applicants respectfully submit that this rejection is overcome for the reasons set forth below.

Amended claim 1 now includes features which are not suggested by the cited reference, namely:

- subjecting digital data to **first encrypting**, by using a **contents key** and
- **encrypted contents key**, obtained by subjecting the contents keys to **second encrypting, are recorded . . .**

- **the encrypted contents key is recorded in the data area on the recording medium, from which data is not output outside.**

Claim 1 has now been amended by combining features of claim 1 with features of claim 2. Applicants note, however, that original claim 2 has a typographical error in it, as "not" is omitted. Amended claim 1 now correctly recites that the encrypted contents key is recorded in a data area of the recording medium, **an area from which data is not provided as an output.**

As amended, claim 1 now explicitly recites that the encrypted contents key is recorded in a specific data area. This specific data area does not provide output data. In this manner, the invention provides an advantage over the prior art, because the encrypted contents key is less likely to leak outside and, therefore, security of the data is improved.

Kori discloses a data recording/reproducing method wherein encrypted digital data is obtained by subjecting the digital data to encryption by using a contents key. Kori, however, does **not** disclose recording the encrypted contents key in a data area on a recording medium from which data is **not output externally**. In fact, the Office Action, at page 4, states that Kori teaches that the encrypted contents key is recorded in a data area on the recording medium from which data is, indeed, output outside. Kori, therefore, does not disclose recording encrypted contents key in a data area on a recording medium in which data is not provided externally. Favorable reconsideration is requested for amended claim 1. Claim 2 has now been canceled.

Although not the same, claim 4 has been amended to include features similar to amended claim 1. More specifically, features of claim 29 (which are similar to features of now cancelled claim 2) have been incorporated into claim 4, as follows (claim 29 has now been cancelled):

- **the encrypted contents key is recorded in a data area on the recording medium, from which data is not output outside.**

As amended, claim 4 now overcomes the rejection of being obvious in view of Tsukamoto and Kori, for the following reasons.

Tsukamoto discloses a data recording/reproducing system that includes contents encrypting means for receiving digital data and a contents key for encrypting the digital data. The Office Action, at page 5, admits that Tsukamoto does **not** explicitly teach a key-encrypting method for an encryption key, nor a method for decrypting the encrypted key.

As stated previously, with respect to claim 1, Kori does **not** disclose the feature of an encrypted contents key being recorded in a data area on a recording medium, in which the data is **not** provided to the outside. Favorable reconsideration is requested for amended claim 4.

Dependent claims 3, 5-28 and 30-38 depend, respectively, from claim 1 and claim 4. These claims, therefore, are not subject to rejection in view of the cited references for at least the same reasons set forth for amended claim 1 and claim 4.

Claims 39 and 53 have been rejected as being obvious in view of Tsukamoto and Kori. Applicants respectfully submit that these rejections are overcome for the reasons set forth below.

Amended claim 39 now includes features which are not suggested by the cited references, namely:

- storing means for storing the key-encrypting key and for **deleting the key-encrypting key** hereafter, **if the key-encrypting key satisfies a predetermined condition**,
- **the predetermined condition is satisfied, if the key-encrypting key was stored on a previous date that is less than a specific number of days from a current date, or if a number of reproductions of the digital data is less than a specific number of reproductions. . .**

As admitted by the Office Action at page 21, Tsukamoto does **not** explicitly teach a key-encrypting generating means for generating a key-encrypting key and subjecting the contents key to second encrypting.

Kori discloses that when the contents are deleted, the encrypting key is also inevitably deleted. Kori, therefore, does **not** disclose only deleting the key-encrypting key if a certain predetermined condition is satisfied. This predetermined condition is satisfied, if the key encrypting key was stored on a date which is less than a specific number of days from a current date (in other words, the key is not yet stale); or the predetermined condition is satisfied if the number of reproductions of the digital data is less than a specific number of reproductions. These features are not disclosed by Kori. Favorable reconsideration is requested for amended claim 39.

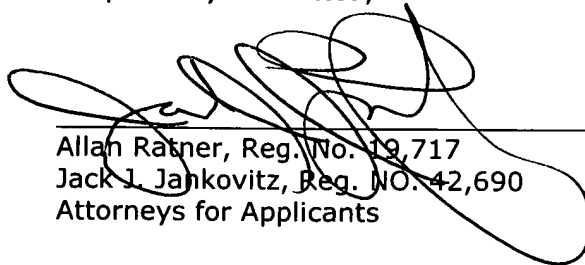
Although not the same, claim 53 has been amended to include features similar to amended claim 39. Claim 53, therefore, is not subject to rejection in view of the cited references for the same reasons set forth for amended claim 39. Favorable reconsideration is requested for amended claim 39.

Claims 40-45, 47-49, and claims 54-57 and 59 depend from independent claims 39 and 53, respectively, and are therefore not subject to rejection in view of the cited references for at least the same reasons set forth for amended claim 39.

**CONCLUSION**

Claims 1, 3-28, 30-45, 47-49, 53-57, 59 and 63-66 are in condition for allowance.

Respectfully submitted,



Allan Ratner, Reg. No. 19,717  
Jack J. Jankovitz, Reg. NO. 42,690  
Attorneys for Applicants

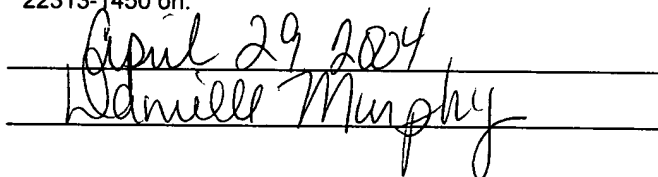
JJJ/dlm

Dated: April 29, 2004

P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

The Commissioner for Patents is hereby  
authorized to charge payment to Deposit  
Account No. 18-0350 of any fees associated  
with this communication.

I hereby certify that this correspondence is being deposited  
with the United States Postal Service as first class mail,  
with sufficient postage, in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450 on:

April 29, 2004  


DLM\_I:\MTS\V03175\AMEND01.DOC